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ABSTRACT

The Commission for Racial Equality held a formal investigation into complaints of racial discrimination in membership and visitor practices at the United Working Men's Club of Edgbaston, Birmingham, England. This report presents the oral testimony taken at the hearings and the conclusions of the Commission. At the end of the investigation the Club acknowledged that it had been in defiance of the Race Relations Act of 1976 and agreed to come into compliance with the law. (MK)

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Mount Pleasant United Working Men's Club

Report of a Formal Investigation

Into the Mount Pleasant United Working Men's Club, Edgbaston, Birmingham

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December 1979

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REPORT OF A FORMAL INVESTIGATION INTO THE MOUNT PLEASANT UNITED WORKING MEN'S CLUB, EDGBASTON, BIRMINGHAM

1. This is the report of a formal investigation into the Mount Pleasant United Working Men's Club, Edgbaston, Birmingham. For over 20 years this Club refused to have any black members, to admit Associates who were black or to allow any of its 1200 or so members to introduce a guest who was black. According to the Club's solicitor, the general feeling was that "Club members were quite prepared to work with and live near coloured people but did not want to spend their leisure hours with them." During the investigation, a Club Committee member said that he had nothing against coloured people but sympathised with those "who want one place where they can go which is free of blacks." The same Committee member said that what the Club feared was a "deluge" of blacks; he thought that two blacks among a typical Saturday night attendance of 600-800 people would be too many.

2. When the Race Relations Act 1968 was passed it was at first assumed that the Act made it unlawful for members Clubs to discriminate. However, in judgments of the House of Lords it was held that this was not so. The 1976 Act is therefore quite explicit, and section 25 of the Act makes it unlawful for any Club with 25 or more members to discriminate on racial grounds in the treatment of members, candidates for membership, or Associates. Although the Club and Institute Union notified all Union Clubs of the Act, the Mount Pleasant Club nevertheless persisted in its colour bar; even after it was notified that it would be investigated by the Commission, and was advised by its

solicitor that it was breaking the law, it reaffirmed its policy in a general meeting. It was made clear to us in the investigation that the Club would not change its practices until it was forced to by law. On the basis of the findings described in this report, we therefore had no hesitation in issuing a non-discrimination notice requiring the Club to stop discriminating.

3. At the end of the investigation the Club accepted that it had been acting unlawfully and assured us that it would comply with the law in future. But what sort of welcome will blacks receive whether as members or as guests? There are many racially mixed Clubs and they are as friendly and harmonious as all-white Clubs. There is no reason why Mount Pleasant should not be the same. Some members may, of course, initially resent the change, but we believe that the Club will find that it will soon be accepting black members and visitors in just the same way as others. In the past, its colour bar has helped to vitiate race relations; in putting this behind it the Club will be making a positive contribution to a fairer, healthier multi-racial community.

4. There are many thousands of Clubs (some 4000 affiliated to the Club and Institute Union alone) in Britain. Between them, they have millions of members. A significant number of Clubs, we believe, continue to discriminate with respect to members or guests and associates. The law states clearly that if they have 25 members or more this is unlawful. This does not mean that ethnic minorities have any special privileges in joining or visiting Clubs, or that the law seeks to deny to Clubs their right to select members according to their constitutions. It simply

means that to make a blanket rule that no one who is black can become a member or visit the Club, whatever his qualities or interests, or to exclude an individual because he is black, is unacceptable and cannot be allowed. Such acts are obstacles to racial equality and justice, are contrary to the objectives and nature of most Clubs, and are in no way necessary to preserve their essential character.

5. We are determined, therefore, to bring about an end to all racial discrimination by Clubs which still practise it. Where necessary we shall conduct further investigations; a second is being carried out now. Most of all, however, we want to see a determined voluntary effort by all concerned. We urge the Committees and members of any Clubs which still discriminate to re-examine their policies We shall be glad to help any organisation which approaches us for advice on how to comply with the law, and we shall be having further discussions with the Club and Institute Union and other representative bodies on the most effective ways of ending discrimination.

I INTRODUCTION

1. In July 1978 statements were made to the Commission by Mr J Thomas, Mr S Baddeley, Ms L Reynolds and Mr R Forrester which led the Commission to believe that the Mount Pleasant United Working Mens Club might have done acts of unlawful discrimination in breach of the Race Relations Act 1976, by operating a rule barring black or coloured people from membership or from admission to the Club as guests or Associates.

2. Mr J Thomas alleged that on 24th February 1978 he had been denied entry to the Club as an Associate because he was black. He had gone to the Club in the company of Mr Baddeley, Ms Reynolds and a Mr S Altman, all of whom were white. Mr Baddeley and Ms Reynolds gave evidence that Mr Altman had been allowed entry to the Club as a guest while Mr Thomas had been refused. They also stated that the reason given to Mr Thomas for this refusal was that it was a members only night.

3. Mr Forrester, who is white, stated that when he had been interviewed for membership of the Club in 1976 it was made clear to him that he should not introduce coloured people to the Club. He further stated that to his knowledge this policy remained in force in March 1978.

4. On the basis of the evidence provided the Commission decided in August 1978 to conduct a formal investigation under Section 48 of the Race Relations Act 1976, and drew up the following terms

of reference:

"The Commission for Racial Equality believe that the Mount Pleasant United Working Men's Club, Reservoir Road, Edgbaston, Birmingham 16, ("the Club") by itself, its servants or agents may have done or may be doing acts of the following descriptions in contravention of the Race Relations Act 1976:

(a) unlawful discriminatory acts in breach of Section 25 read together with Section 1(1)(a) (direct discrimination in the admission of persons to membership of the Club, in affording members access to any benefits, facilities or services of the Club, and by depriving associates of their rights as associates);

(b) giving instructions to servants or agents of the Club in contravention of Section 30 to do acts which are unlawful by virtue of Section 25 read together with Section 1(1)(a) (acts of direct discrimination in affording members access to any benefits, facilities or services and by depriving associates of their rights as associates) or procuring or attempting to procure the doing of any such acts by servants or agents of the Club;

(c) unlawful discriminatory practices in contravention of Section 28 (the application of a requirement or condition which results in acts of indirect discrimination in breach of Section 25 read together with Section 1(1)(b) or would be likely to result in such acts if applied to persons of any racial group to whom there has been no occasion for apply-

ing it, or by operating practices or other arrangements which in any circumstances would call for the application of a discriminatory practice).

The investigation shall be confined to those acts which may be in contravention of those Sections of the Act by the Club."

5. Section 25 of the Act makes it unlawful for associations such as working men's clubs, social clubs and political clubs, which have 25 or more members to discriminate on racial grounds in the terms on which they offer membership or by refusing or deliberately omitting to accept applications for membership; in the way they afford members or associates access to benefits, facilities or services; or by depriving members or associates of their rights or subjecting them to any other detriment. Under Section 28 it is an unlawful discriminatory practice to apply to persons a requirement or condition which is unjustifiable and which adversely affect persons of one racial group considerably more than others, or would do so if the occasion arose for applying it to them. Section 30 of the Act makes it unlawful to instruct a person to do an act of unlawful discrimination. Sections 25, 28 and 30 are set out in full in Appendix A.

6. In accordance with Section 49(4) of the Act, the Commission notified the Club ("the respondents") of its intention to conduct an investigation and offered them the opportunity to make representations in the matter. The respondents chose to make oral representations through their solicitor and these were

heard on 25 October 1978. Having considered the representations the Commission decided to embark on the investigation in November 1978.

The Mount Pleasant United Working Men's Club

7. The Mount Pleasant Club is situated in a multi-racial area of Birmingham, in Edgbaston and adjacent to Ladywood. It is affiliated to the Club and Institute Union (CIU) and was opened in 1907. It has about 1200 members from all over Birmingham. The Club is open each day from 10.30 am to 3.00 pm and from 6.00 pm to 10.30 pm. The facilities it offers are typical of a medium-size working men's club, of which there are a large number in the Midlands area. Full membership is open to men only, but wives and girl-friends can obtain Ladies Cards. To obtain full membership a candidate must be proposed and seconded by two existing paid-up members able to vouch for his suitability for membership.

8. The Club has a Committee of 14. This includes a President, Vice-President, Secretary, Assistant Secretary, Treasurer, and three Trustees. The Secretary is responsible for conducting the day to day affairs of the Club, including matters of finance and employment. The Club employs 18 staff, only one of whom, the Steward, is full-time. Other staff include two doormen, five part-time cleaners, seven bar staff and a handyman.

Associates

9. The rules of the Club and Institute Union, of which the Mount Pleasant Club is a member, provide that a member of any Union

Club may obtain an Associate Card. Although an Associate has no right to enter any Club but his own, the rules of the vast majority of Union Clubs are that Associates shall be admitted on presentation of their Associate Cards, evidence that their current subscription to their own Clubs have been paid and a Pass Card issued by the Union. The Union must be notified of any limitations placed on the admission of Associates or their use of any of the facilities of the Club.

Enquiries made

10. In the course of the investigation, interviews were held separately with the following officers and employees of the Club:

Mr H Lewis	Club Secretary. Mr Lewis became a member of the Club in 1929 and had been Secretary since March 1965.
Mr H Hodges	Club President. Mr Hodges had been a member since 1930 and President since 1967.
Mr A Wood	Assistant Secretary. Mr Wood had been a member for about 12 years and Assistant Secretary for the last 7 years.
Mr T Farren	A Committee Member. Mr Farren had been a member for some 25 years, but had been on the Committee for only 6 months.
Mr J Hill and Mr B Bishton	Trustees. Mr Hill had been a Trustee since 1977 and Mr Bishton for 6 months.
Mr L Hughes	Doorman. Mr Hughes had been a member since 1968 and employed by the Club as a doorman for 3 years.

Mr Cunningham — Doorman. Mr Cunningham had been a doorman for 2 years and a member of the Club for 6 years.

In addition statements were obained from Mr Altman and two CIU Associate Members whose signatures had appeared in the Club's admission book under 24 February 1978. Also, telephone conversions were held with two of the five Club members described by the respondents as being of "mixed race".

11. In June 1979, the Commission considered the evidence collected to that point and decided to notify the Club that it was minded to conclude that the Club had contravened the Act in certain ways and to issue a non-discrimination notice. The Club was given an opportunity to make representations pursuant to section 58(5) of the Act. It made written representations through its solicitors in a letter dated 30 August 1979 and made oral representations on 4 September 1979. These representations were taken into account by the Commission in reaching its final conclusions.

Correspondence between the Club and the CIU

Following the incident concerning Mr Thomas the Club received a letter dated 21 March 1978 from Mr F O Morris, General Secretary of the Club and Institute Union. Mr Morris stated that a complaint had been received from Mr Thomas and wrote, "I can find no notification to this office of limitations placed upon Associates for that evening." He asked for the Club's comments. Mr Lewis answered on behalf of the Club in a letter dated 5 April 1978. The letter stated that "on the night in question

we were not admitting associates or visitors, the reason being we were in the process of admitting new members". Mr Lewis also referred to a problem of "undesirables" visiting the Club from a nearby Dance Hall, thus necessitating that "at times we adopt this measure." He concluded, "was not aware that we had got to notify you when we made a decision like this." Mr Morris replied on 6 April 1978 stating, "I have noted your reply and I am treating the matter as closed."

II THE REFUSAL TO ADMIT MR THOMAS

The evidence of Mr Thomas, Mr Baddeley and Ms Reynolds

12. At the time of the investigation, Mr Baddeley was a member of the Club and Ms Reynolds held a ladies' card. Mr Thomas, who was black, held an Associate Card from the Club of which he was a member.

13. They told the Commission that on the evening of 24 February 1978 they had decided to go out together for a drink, accompanied by Mr S Altman, a friend of Mr Baddeley. Mr Altman had suggested that they should go to the Mount Pleasant Club, and Mr Baddeley had said that he doubted if Mr Thomas would be allowed in since the Club did not admit coloured people. They had nevertheless decided to visit the Club, and had arrived at between 7.15 pm and 7.45 pm.

14. On their arrival at the Club Mr Baddeley had gone in first and had signed Mr Altman in as his guest. Mr Thomas and Ms Reynolds had followed, Mr Thomas intending to sign the register as an Associate. However, Mr Thomas had been refused entry by the

doorman, who gave as a reason for this that he was not a member of the Club. On being shown Mr Thomas' Associate Card, the doorman had still refused him entry and had said that members only were being admitted that evening. Mr Thomas then asked to see the Club Secretary, but was told by the doorman that this would not be possible. According to Mr Baddeley, a Committee member was in fact brought to the scene by a Club member who had witnessed part of the discussion. The member concerned had come out of the Club during the incident and had signed in two young white men as his guests. According to Mr Baddeley, when he returned with the Committee member this man had said that members only were being admitted because "they're signing on new members"; the Committee member himself said nothing.

The respondents' representations

15. In making oral representations to the Commission as the solicitor acting on behalf of the Club, Mr Sabell stated that while it was true that the Club was admitting new members on the evening of 24 February 1978, it had nevertheless been prepared to admit white Associate Members. It had been the policy of the Club not to admit black Associate Members. However, the Club had decided in a Special General Meeting on 3 September 1978 henceforth to admit Associates irrespective of colour in order to retain its membership of the Club and Institute Union.

The evidence of the respondents

16. On 29 November and 11 December 1978 interviews were held with

the respondents. Mr Harry Lewis, the Secretary, said that he had been on the premises on 24 February 1978 when Mr Thomas was refused admission but that he had not been aware of the incident. The first he had heard of it was when the Club received a letter from the CIU dated 21 March. On receipt of this letter the doorman, Mr Hughes, had been questioned about the incident and denied that any non-members were signed in. Mr Lewis said that on his arrival at 7.30 pm on 24 February he had told Mr Hughes that because new members were being taken on admission was to be restricted to members only.

17. Mr Lewis said that he disagreed with Mr Sabell's representations and that the Club had not been prepared to admit Associates or guests of any colour that night. He said it was general practice to make it 'members only' when contributions were being received from a large number of new members. He could not remember how many new members were being dealt with on 24 February but did recall that it was a "large batch" as it was the first group of members for the year. Mr Lewis stated that on members only nights a notice would normally be displayed to this effect. He said that although no notice had been displayed on 24 February the visitors books would nevertheless have been closed, thus indicating it was to be 'members only'. He said it was possible that Associates had been admitted before 7.30 pm, when he instructed the doorman, but any such admissions would have gone through the bar.

18. Mr Lewis said that in the event of a dispute on the door the doorman would seek the assistance of a committee member, who, if unable to solve the dispute, would call Mr Lewis. However, the doorman had not consulted him on the night in question. The doorman on duty that night had been Mr Len Hughes. Mr Hughes stated that he had been on duty at the door alone and that no guests or Associate Members had been allowed in during the evening. He said that any signatures in the visitors books would have referred to the lunchtime session that day.

19. In the event of a dispute at the door Mr Hughes said he would fetch Mr Lewis, though this rarely happened. He had consulted Mr Lewis about Mr Thomas at the time but the Secretary had been recovering from an operation on his leg and had not been able to come to the door himself. Mr Hughes said he could not remember if he had mentioned Mr Thomas' colour to the Secretary but Mr Lewis had replied, "we cannot be bothered with Associates tonight." Mr Hughes said that the incident had "shaken him up" because of Mr Thomas' insistence that he be admitted. He stated that he could not remember if anyone else was with Mr Thomas apart from Mr Baddeley and Ms Reynolds. Nor could he remember any other parties to the incident except a Club member, Gregory Farren, who had come to his aid and told Mr Thomas that he would be welcome to return to the Club any other night.

20. Mr Hughes stated that a 'members only' notice had not been displayed that night, nor was it usual for a notice to be

displayed. He thought it was about 7.40 pm, just before he had taken up his post, when Mr Lewis told him it was to be 'members only' that night. He also stated that he had been "under pressure" on the door and that if any Associates or guests had been signed in it had been without his knowledge. He said he had not been interviewed by the Committee about the incident concerning Mr Thomas although he had told the Secretary about it.

21. The Assistant Secretary, Mr A E Wood, stated to the Commission that he had been told the facts "as reported to the Secretary." Subsequently the doorman had been interviewed by the Committee and as be had said that no one had been signed in that night no further action was taken. Mr Wood said he understood that at least 30 new members were being issued with membership cards that night and that there should have been a 'members only' notice put up in the entrance to the Club. He said he thought it was "more than likely" that Mr Thomas would have been admitted to the Club on another night.

22. Mr J Hill stated that he arrived at the Club at about 8.10 pm while Mr Thomas was at the door. Mr Hill knew it was to be 'members only' that night because he had been previously informed as a Committee Member. He intervened and told this to Mr Thomas, who replied that he would come again. Mr Hill said, "the coloured chap was okay about it." Mr Hill said that no one else was present apart from Mr Hughes, Mr Thomas, Mr Baddeley and Ms Reynolds. He also stated that no-one else was signed in at the time and said that it was general practice

to restrict entry when subscriptions were being taken.

23. Mr T Farren stated that he had been in the Club on the evening of 24 February but had not witnessed the incident. However, he was able to confirm that his brother, Gregory Farren, had intervened in order to calm down the situation, though as he was not a Committee member he had no right to say anything on behalf of the Club. Mr Farren also stated that it was not normal practice to limit admission to 'members only' on nights when subscriptions were being received and he believed that because of the Club's policy towards black people Mr Thomas would have been refused admission whatever night he had come to the Club.

24. Mr B Bishton said he had not been a Committee member in February 1978 and so could not comment on the incident concerning Mr Thomas. He said it might be usual to restrict entry on a busy night. Mr Cunningham, the other doorman employed by the Club, stated that he was unable to comment on the incident. He said, however, that nights when new members were taken on were not usually restricted to members only.

The nearby Dancehall

25. The Dancehall, which is a Mecca establishment close by the Club, was mentioned in Mr Lewis' letter of 5 April to the CIU as a source of "undesirables" which led to the need to restrict entry to the Club on some Friday nights. However, neither in the representations made by Mr Sabell nor in the interviews

conducted by the Commission did any of the respondents indicate that this had been a factor on the night in question.

The evidence of Mr S Altman

26. The Club was unable to supply the Commission with the signing-in book for guests relevant to February 1978. When interviewed Mr Lewis said that such books were normally destroyed when full. The current visitors book dated from August 1978. The Commission was therefore unable to identify the two young white men alleged by the informants to have been permitted to sign into the Club as guests while Mr Thomas was being refused admission. However, Mr S Altman was interviewed on 11 December 1978 and a statement was obtained from him.

27. Mr Altman stated that he, Mr Thomas, Mr Baddeley and Ms Reynolds went to the Mount Pleasant Club shortly after 7 pm on 24 February 1978. While Ms Reynolds waited for Mr Thomas to lock his car he and Mr Baddeley went into the Club, where Mr Baddeley signed for Mr Altman in the visitors' book and the latter filled in his address. According to Mr Altman, the doorman, who was "short, stocky and aged between 55 and 60", was standing next to the book. He tore off Mr Altman's copy of the signing-in slip and gave it to him, making no comment. At that point, Mr Thomas arrived and was refused admission by the same doorman on the grounds that it was 'members only'. Mr Altman stated that while Mr Thomas was at the door "two young lads with snooker cues" were signed in, in the same book as himself, by a man who came out of the Club. Mr Altman also stated that Mr Thomas remained calm

and that he was not invited by anyone representing the Club to return on another night.

Further evidence from Mr S Baddeley

28. On 23 January 1979 Mr Baddelley was further interviewed concerning some handwritten notes he had made at the time when Mr Thomas was refused admission to the Club. He had subsequently misplaced these notes amongst his household files but was now able to provide them to the Commission. The notice included the number on the entry slip given to Mr Altman by the doorman, and the number was recorded as 438. However, the entry slip itself was not kept. Mr Baddeley provided a further statement confirming the number. This statement also included confirmation from Mr Baddeley that he believed that the Committee member referred to in his original statement, who according to Mr Baddeley had come out of the Club but said nothing, had been Mr J Hill.

The Associate Members

29. The respondents were able to provide the Commission with the Associate Members signing-in book covering Friday 24 February 1978. These showed that 13 Associates were admitted to the Club that day. The Commission took evidence from the last two on the list.

30. Mr R Rolfe was interviewed at his home on 27 February 1979. He is white and a member of the Tyseley Working Mens Club. Mr Rolfe confirmed his signature as being the last one entered

for 24 February 1978 and stated that it would have been around 9 pm when he entered the Club, probably accompanied by his wife. Mr Rolfe said he had attended the Club regularly before March 1978 and always went there around that time of the evening, except for bingo on weekends when he would attend earlier. He could not recall the actual day in question. Mr Rolfe said he had never attended the Club at lunch time and since moving from the area in March no longer attended at all.

31. Mr V Hartle was interviewed at his home on 20 March 1979. Mr Hartle is white and a member of the Hill Top Social and Labour Club, West Bromwich. He confirmed that the 12th signature in the list of Associates who entered the Mount Pleasant Club on 24 February 1979 was his and estimated that it was between 8 pm and 9 pm when he went into the Club. Mr Hartle said that this had been the only occasion on which he had ever visited the Club and so he recalled it well. He described the doorman who admitted him as "elderly and about 5' 4" tall" and said that he was admitted as an Associate even though he did not have his Associate Membership Card with him at the time.

The Commission's conclusions

32. In considering whether Mr Thomas had been refused admission to the Club on racial grounds, as he had alleged, the Commission noted a number of point. There were a number of differences in the evidence given by those interviewed, particularly as to whether it was usual to restrict admission to members only on

occasions when new members were being accepted and what measures would be adopted to inform visitors of this. There were also differences as to whether Mr Hughes consulted Mr Lewis about the admission of Mr Thomas and whether Mr Hughes was afterwards interviewed by the Club Committee about the incident, and as to the order of events on the evening concerned.

33. The Commission paid particular attention, however, to the evidence concerning the admission of guests and associates during that evening. The Club Committee members interviewed maintained that members only were being admitted. Mr Lewis said that he had instructed Mr Hughes at about 7.30 pm to admit only members, and Mr Hughes said that no guests or Associates were admitted with his knowledge after that time. Against this, Mr Baddeley had said that he had been permitted to introduce Mr Altman as his guest at some time between 7.15 pm and 7.45 pm and later produced notes made the same evening recording, among other things, the number of the entry slip given to Mr Altman. Mr Baddeley identified the doorman on duty as Mr Hughes. Mr Altman confirmed that he had been admitted as Mr Baddeley's guest and said that he had signed the visitor's book in the presence of a doorman whose description matched that of Mr Hughes, and that the doorman had given him an entry slip. In addition, Mr Rolfe and Mr Hartle, whose signatures appear in the record of admission of Associates for that day, both stated that they went to the Club at about 9.00 pm and Mr Hartle's description of the doorman who admitted him matched that of Mr Hughes.

34. The Commission also noted that, in making representations, Mr Sabell had said that the Club had been prepared to admit white Associates that evening, although this was later denied by the respondents, and that at the special general meeting of the Club on 3 September 1978 the Club had decided that in order to comply with the conditions of membership of the Club and Institute Union it must admit coloured Associates.

35. On the basis of this evidence, the Commission concluded, subject to any representations that the Club might make, that the Club had breached section 25(3)(a) of the Act on 24 February 1978 by refusing admission to Mr Thomas, an Associate on racial grounds. After being informed of the Commission's ground for reaching this conclusion the Club conceded, in written and oral representations made to the Commission that it had unlawfully discriminated against Mr Thomas.

III MEMBERSHIP POLICIES

The evidence of Mr Forrester

36. Mr R Forrester, who is white, had stated to the Commission that before being admitted to membership in 1976 he was interviewed by the Club Committee and during the interview was "reminded" by the Secretary, Mr Lewis, that he "knew the Club rule about coloured people." Mr Forrester stated that in earlier conversations with Club and Committee members it had been made clear to him that "as a rule no coloured people were allowed into the Club." When he had

last spoken to a Committee member about the rule around March 1978 it had been made clear to him that the rule still applied.

The respondents representations

37. In making representations to the Commission the Club's solicitor said that it had always been the Club's policy not to have black or coloured members and this policy had been re-affirmed on 3 September 1978. He further said that the Club had never received an application for membership from a coloured person but that this was not unusual. Members, knowing the ruling, would not propose a coloured person and even if they did the Secretary and Committee members would veto it. On the other hand, coloured people, knowing of the Club's ruling, would not be interested in joining.

38. The minutes of the Special General Meeting held by the Club on 3 September 1978 included the following:

> "The solicitor .... explained that we were breaking the law by not admitting coloured associates and (giving) coloured people the right to join .... The Secretary said the Club had carried out that policy since 1952 .... After various discussions it was decided by 98% of the members present that we carry on as we are and do not allow coloured people to join the club."

The evidence of the respondents

39. When interviewed by the Commission the Club Secretary, Mr Lewis, stated that members of the Club did not want coloured members

and had first made their views known in 1952. Mr Farren, Committee member, confirmed this and Mr Hill, Trustee, said that at the meeting on 3 September it had been made unanimously clear that coloured members were not wanted. The Club's President, Mr H Hodges, stated to the Commission that the meeting on 3 September had been called to ask the members what they wanted concerning coloured people and the answer had been, "keep them out, as long as possible." Mr Bishton, also a Trustee, stated that the general meeting on 3 September was unanimous in not wanting coloured members and that "unless forced by law" it was clear that coloured members would not be accepted by the Club.

40. Mr Wood, Assistant Secretary, told the Commission that the Club's "colour bar" dated back to a decision made at a general meeting in 1956. He further stated that he had nothing against coloured people but agreed with those "who want one place where they can go which is free of blacks." He said that "the time was not right" for attempting to change the situation but that maybe in 5 years change would come. He also said that the Committee were servants of the members and he himself had insisted on holding the 3 September meeting to get the feeling of the membership. He believed that a postal ballot would confirm that that meeting was representative of the membership.

41. Mr Harry Lewis, Club Secretary, stated when he was interviewed on 29 November 1978 that applications were displayed in the Club for two weeks so that any objections from members could be made. The applicant was then interviewed by the Committee to find out

what kind of person he was and whether or not he would be a suitable person for the Club. At that interview applicants were advised of the Club rules and accepted for membership on a majority decision by the Committee. Mr Lewis said that at the same interview applicants were "advised" not to try to bring "coloured people or policemen in uniform" into the Club. Mr Lewis said that advice to applicants was given by the Chairman. However, on being advised of Mr Forrester's statement that it had been Mr Lewis who "reminded" him about the Club rule regarding coloured people, Mr Lewis stated that sometimes, particularly if there was only one applicant, he conducted interviews. He could not comment on Mr Forrester's account of the interview as he could not remember the occasion.

42. Mr Hodges, the President, said that when new members were interviewed by the Committee, it fell to him to explain to them that they should use their discretion regarding bringing coloured people into the Club because the members were inclined not to want them. Mr Wood stated that as Chairman of the Committee it was Mr Hodge's duty to inform new members of certain rules. Included in this "ritual" was a warning not to introduce coloured guests because the members do not like them. Mr Wood further stated that agreement to this particular rule would be a precondition of membership, and was "imposed by the members." Mr Hill stated that new members were told that because of members' wishes colourds were not welcome as members. He stated however, that there was no mention of Associates or guests.

43. Mr Farren said that when the Committee interviewed applicants the President outlined the general rules of conduct and informed them that there was to be no bringing of coloured visitors. He claimed that reference to coloured visitors had since been dropped from the interview after a number of Committee members had objected to it. Mr Bishton said that the President warned new members against bringing undesirables into the Club and that given the prevailing atmosphere in the Club the word undesirable would easily be taken as meaning coloured.

The mixed-race members

44. The respondents provided the Commission with the names of five members who were said to be of mixed racial origins. All were members who were sons of existing members. The Club Secretary, Mr Lewis, told the Commission that at the age of 18 sons of members could automatically come in. He added, however, that their applications were considered by the Committee in the same manner as applications from other potential members. He said that four of the five mixed-race members visited the Club. The Assistant Secretary, Mr Wood, stated to the Commission that sons of members were automatically given consideration for membership. The proposal form and interview were still necessary but their applications were given precedence over any waiting lists and the membership list was never closed to them. Mr Wood stated his opinion that had they not been sons of existing members the mixed-race members would not have been allowed to to join the Club.

45. Of the five names provided, three were brothers, two of whom were contacted by the Commission. Both said they were of white parentage and assumed that the Club had confused them as being of mixed-race because their father had spent some time in India.

The Commission's conclusions

46. On the basis of the evidence presented above, the Commission concluded, subject to any representations which the Club might make, that the Club made it a requirement or condition for becoming a member of the Club that the candidate should not be coloured. It concluded that members of the Club were aware of this rule, and that if any coloured person had been nominated for membership he would have been refused. The Commission further concluded that the rule was not justifiable on any non-racial grounds; its sole purpose was to exclude coloured people from membership of the Club. The Club was therefore contravening section 28 of the Act by applying a requirement or condition which was not justifiable regardless of the colour, race, nationality or ethnic or national origins of the persons to whom it was applied, or would be applied if the relevant circumstances arose, that persons admitted to membership should not be coloured.

47. After being informed of the Commission's grounds for reaching this conclusion, the Club conceded in written and oral representations to the Commission that it had been contravening Section 28 of the Act in the way described above.

IV ADMISSIONS POLICIES CONCERNING ASSOCIATES AND GUESTS

The evidence of Mr Baddeley and Mr Forrester

48. Mr Baddeley had stated that on 24 February 1978 before visiting the Club, he had warned his friends that Mr Thomas was likely to be refused admission because the Club did not admit blacks. Mr Forrester had said that, when he became a member, he was "reminded" by the Club Committee of the rule that blacks were not admitted to the Club.

The respondents representations

49. In making representations to the Commission on behalf of the Club Mr Sabell had stated that it was the "official policy" of the Club that no black or coloured guests should ever be allowed in and instructions had been given to the doorman to keep them out. He had also stated that up until 3 September 1978 the same applied to black or coloured Associate Members. The excuse given to any such Associates was that it was "a members only night." However, Mr Sabell had said that at the Special General Meeting held by the Club on 3 September 1978, it had been agreed to change the latter policy and to admit all Associate Members, black or white. An appropriate instruction had been given to the doormen to this effect and Mr Sabell added that the main reason for this change in policy was "to enable the Club to conform with the CIU's general policy regarding Associate Membership."

50. The Minutes of the 3 September meeting, provided by the Club, referred to Associates as follows:

> "It was pointed out that we could not remain a member of the Club and Institute Union if we did not allow coloured associates in the Club."

The Minutes of the Half-Yearly General Meeting held on 10 December 1978 and provided to the Commission by the Club, stated:

"The Minutes of the Special General Meeting were then read and after being accepted as a true record of the meeting questions were invited, the members requested that we carry on as we are and admit coloured associates."

The evidence of the respondents

51. In his interview with the Commission the Club Secretary, Harry Lewis, stated that although members of the Club did not want coloured members there was no rule barring the admission of coloured people. He also stated that since 3 September he had instructed the doormen to admit coloured Associate Members. He later explained the last statement more fully, saying that he had given an oral instruction to Mr Hughes who was left to pass on the instruction to Mr Cunningham. He also said that since then three coloured Associates had been admitted, but he did not know their names.

52. Mr Wood, the Assistant Secretary, described the Club's policy towards coloured Associate Members before 3 September as "a reluctance to admit them" rather than an instruction to refuse admission. However, after 3 September an instruction to admit coloured Associates was issued so as "not to jeopardize" the Club's affiliation with the CIU. Mr Wood stated that it was implicit in that instruction that coloured guests would not be admitted and said he would be prepared to give such an instruction if it fell to him to do so. He also stated that a coloured person was never found in the Club as a member's guest. Mr Wood said that the Club's fear was of "a deluge" of black

people. There were usually 600 - 800 people in the Club on a Saturday night and Mr Wood felt that two blacks among them would be too many.

53. Mr J Hill stated that the matter of coloured guests had not been raised at the 3 September meeting and that "Associate Members are allowed in anyway." Mr T Farren stated that the Club's policy before 3 September had meant that no coloured person would be admitted. Since then, although coloured Associates would be admitted coloured guests would still not be welcome. Mr Farren said that the concession to Associates had been made because of the CIU affiliation and he believed that instructions had been given to the door staff accordingly. He stated that he had no knowledge of any coloureds coming to the Club since 3 September. He said he believed that the Club had "definitely discriminated" in the past and that this was wrong.

54. Mr Bishton stated to the Commission that although the admission of Associates had been conceded, the Club meeting held on 10 December had confirmed that coloured guests were not wanted. However, he was not prepared to be a party to the refusal of a coloured guest himself. He felt that in practice if a coloured guest arrived the doorman would probably wish to consult on whether or not to admit him. It rather depended on who was consulted as to whether admission would be granted.

The Doormen

55. Mr L Hughes stated that he had not been given any particular

instructions regarding the admission of blacks. However, he had been present at the 3 September meeting and understood that he must now let in coloured Associates. Mr Hughes said that he was subject to pressure from members which had led him on one occasion in the past to refuse entry to a black person on the pretext that the Club was full. Mr Hughes also said that he often bent the rules for whites wishing to gain admission though he could not do the same for blacks because they were "too noticeable." Mr Hughes said that since he had become a doorman, the number of blacks who had asked to enter the Club had not been more than 10. He referred to three blacks whom he had admitted to the Club, possibly since 3 September. Mr Hughes said there had been no criticism of his doing this, "much to my surprise."

56. Mr Cunningham, the other doorman, stated to the Commission that he had no knowledge of any policy concerning blacks. He said he had been present at the 3 September meeting and had voted at that meeting. However, he did not know anything about the account of the meeting as given in the Minutes. Mr Cunningham stated that he had never turned away any coloured Associate Members at the door and had never been given any instructions to do so. He said that "within the last 4 weeks" (ie prior to 29 November 1978) he had admitted two coloured Associates to the Club but before that he had never had to deal with any coloured people. He stated that he had received no new instructions since 3 September.

Further evidence from Mr S Baddeley

57. In an interview on 25 April 1979 Mr Baddeley stated that there had been occasions when his knowledge of the Club's policy had prevented him from considering taking a coloured guest there. One such occasion occured at the end of a local residents association committee meeting on 19 May 1977 when it was suggested that the committee retire to the Mount Pleasant Club for a drink. Mr Baddeley was Joint-Secretary of the group and also present was a close friend of his who was of Punjabi origin. It had been pointed out by his friend's wife, who was white, that "you realise not all of us can go there". According to Mr Baddeley everyone understood that this comment referred to his Punjabi friend and the Club's policy of not admitting coloured people. As a result the group did not go round to the Club. Mr Baddeley said that since that time his friend had left the area but still visited his home. He further said, "it has never been my intention to embarrass him by suggesting that we go to the Club for a drink on such occasions and so I have never done so".

58. A further occasion, according to Mr Baddeley, when he would have been likely to introduce a guest to the Club occurred in September 1977 when a Chinese student stayed at his house for a month. Mr Baddeley said, "at no time did I suggest to him that we go to the Mount Pleasant Club. I am sure I would have done so had he been white." Over the same period 1977-78 however, Mr Baddeley said there had been a number of occasions when he had taken white guests into the Club.

The Commission's conclusion

59. The Commission concluded, subject to any representations that the Club might make, that the Club had been contravening the Act in two ways in the admission of members' guests.

60. Rule 27 of the Club's rules entitles a member to introduce up to two friends at any one time as his guests at the Club. The Commission noted, however, the evidence presented earlier in this report that candidates for membership were told by the Committee not to introduce coloured people to the Club. Although there was no evidence that since the Act came into force any member had attempted to introduce a coloured person as his guest, Mr Baddeley stated that he had been deterred from doing so by his knowledge that such guests would not be admitted. Mr Baddeley had also been deterred from entering the Club on 24 February 1978 with his friends because one of them, an Associate had been black and had been refused admission on that ground. The Commission concluded therefore that the Club was contravening section 25(3)(d) of the Act by subjecting members to the detriment of not being free to introduce friends to the Club as their guests on the ground of the colour, race, nationality or ethnic or national origins of those friends.

61. The Commission also concluded that the Club applied a requirement or condition that persons introduced to the Club as members' guests must not be coloured, and that this was an unlawful discriminatory practice in contravention of section 28 of the Act. The Commission considered that such a rule could not be justified on any non-racial grounds. Although the Club

had no coloured members at the time of the investigation, a non-discriminatory membership policy would no doubt result in there being black members in the future and the rule would, in the Commission's view, bear more harshly on such members than on white members because black members would be the more likely to have black friends they would wish to introduce to the Club.

62. After being informed of the Commission's grounds for reaching these conclusions, the Club conceded in written and oral representations made to the Commission that it had contravened sections 25(3)(d) and section 28 of the Act in the ways described above.

V THE RIGHT OF ASSOCIATES TO INTRODUCE GUESTS

63. During the investigation it was noted that at a general meeting on 10 December 1978 the Club had amended its rules so as to remove the right of Associates to introduce guests. The minutes of the general meeting held on 10 December 1978 recorded:

> "A second notice of motion was on Rule 27 to delete the words 'and associates'."

The Commission was provided with a copy of the Club's rule book and this shows that prior to amendment Rule 27 had stated:

> "A member or an Associate may personally introduce friends as his guests, but no member or Associate may introduce more than two friends at any one time."

63. The Commission noted that this change of rule had been made shortly after the Club had decided to admit black Associates. It seemed to the Commission possible, in the circumstances, that the motivation for changing the rule had been racial in that the Club might have been seeking to avoid the introduction of black guests by black Associates. The consequence of this would be that all Associates would henceforth be treated on racial grounds, less favourably than they would have been had they all been white. The Club was invited to comment on this, and said that the reason for changing the rule had been that Associates had been responsible for introducing a rowdy element into the Club; any racial motivation was denied.

64. The Commission was initially not satisfied with the explanation and invited the Club to make further representations. In doing so, the Club again denied any racial motivation. The right of Associates to introduce guests had been granted at a time when, because of extensive redevelopment in the area of the Club, it had had difficulty in attracting members and their guests. More recently the Club had found that this right had led to people "descending on" the Club, particularly from a nearby dance-hall, attracted by the comparatively low bar prices, and this had in turn led to disturbances and disruptions for members and their guests. The Club had intended to change the rule some time previously but had omitted to do so. A Club and Institute Union representative, who attended the oral representations made by the Club to the Commission, said that relatively few

Clubs allowed Associates to introduce guests and that the number was declining. The Commission accepted the Club's explanation.

VI DISCRIMINATORY INSTRUCTIONS TO EMPLOYEES OR AGENTS

65. In considering whether the Club had contravened section 30 by instructing employees or agents to discriminate in the admission of Associates or members' guests, the Commission had regard to a number of considerations.

66. In making representations on behalf of the Club, Mr Sabell had said that it was the official policy of the Club that no black guests should be admitted and that doormen had been instructed to refuse them entry. A similar instruction had applied to the admission of black Associates until 3 September 1978. During the investigation, Mr Wood said that implicit in the decision to admit black Associates was an instruction that black guests were still not to be admitted. Although the doormen themselves did not say that they had been given specific discriminatory instructions regarding admissions, it seemed to the Commission that the doormen would undoubtedly have been instructed, explicitly or otherwise, to discriminate in the admission of Associates and members' guests, and that these instructions continued in force until 3 September 1978 as far as Associates were concerned and after that date as far as members' guests were concerned.

67. The Commission therefore concluded, subject to any representations by the Club, that the Club had contravened section 30 of

the Act by instructing employees or agents to discriminate on racial grounds in breach of section 25 in the admission of members' guests and Associates. After being informed of the Commission's grounds for reaching this conclusion, the Club conceded in written and oral representations to the Commission that it had contravened the Act in this way.

VII OUTCOME OF THE INVESTIGATION

68. In June 1979 the Commission notified the Club that it was minded to conclude that it had contravened the Act and to issue a non-discrimination notice. The Club was invited to make representations in the matter and made both written representations and oral representations which were considered by the Commission in September 1979. On the basis of the evidence collected in the course of the investigation and the representations, as reported above, the Commission concluded that the Club had contravened the Act in the following ways:

(a) by refusing on 24 February 1978 to admit an Associate in contravention of section 25(3)(a);

(b) by subjecting members, in contravention of section 25(3)(d), to the detriment of not being free to introduce guests regardless of colour, race, nationality or ethnic or national origin of those guests;

(c) by applying in contravention of section 28, a requirement or condition which it could not show to be justified on non-racial grounds that persons admitted to membership and persons admitted as members' guests should not be coloured;

(d) by instructing employees or agents in contravention of section 30 to discriminate in contravention of section 25 in the admission of Associates and members' guests.

The Commission decided that a non-discrimination notice should be served requiring the Club not to contravene the Act in such ways in the future, and not to do any other act which would be in contravention of sections 25, 28 or 30.

69. The Commission had also decided in June 1979 that a non-discrimination, if issued, should require the Club to take certain steps to inform others concerned of the changes in its practices, and to provide certain information to the Commission. The Club was given the opportunity to make representations about the Commission's proposals and did so in writing and orally. In September 1979, having considered these representations, the Commission revised its proposed requirements in certain respects. It decided that, in order to inform others concerned that it had changed its practices and would now treat all members, candidates for membership, and Associates equally regardless of colour, race, nationality or ethnic national origin, the notice would require the Club:

(a) to display an appropriate notice in the entrance to the Club;

(b) to notify the Club and Institute Union accordingly;

(c) to notify each member accordingly, in writing, when his membership was renewed;

(d) to issue appropriate instruction to relevant employees.

The Commission noted that the Club and Institute Union would bring the matter to the attention of other Clubs.

70. To enable the Commission to verify that the notice was being complied with, the Commission decided that the notice would require the Club:

(a) to confirm that it had complied with (b), (c) and (d) above by furnishing copies of the letters or notification;

(b) to inform the Commission in writing, periodically over a period of five years, of the numbers of people admitted to membership and the names and addresses of ethnic minority persons admitted to membership; and the name and address of any ethnic minority candidate refused membership during that period;

(c) to inform the Commission of any occasion when a black Associate or guest was refused admission, with the reasons for refusal and any other information, such as the name and address of the person refused, which was available;

(d) to provide the Commission every six months during the next two years with a list of all guests and Associates admitted during the previous six months.

71. A notice containing these requirements was served on 10 September 1979 and became final on 22 October 1979. The full text of the notice is given as appendix B.

26 9 79

Amended 31/10/79

APPENDIX A

RELEVANT SECTIONS OF THE RACE RELATIONS ACT 1976

Section 25

(1) This section applies to any association of persons (however described, whether corporate or unincorporate, and whether or not its activities are carried on for profit) if -

(a) it has twenty-five or more members; and

(b) admission to membership is regulated by its constitution and is so conducted that the members do not constitute a section of the public within the meaning of section 20(1); and

(c) it is not an organisation to which section 11 applies.

(2) It is unlawful for an association to which this section applies, in the case of a person who is not a member of the association, to discriminate against him -

(a) in the terms on which it is prepared to admit him to membership; or

(b) by refusing or deliberately omitting to accept his application for membership.

(3) It is unlawful for an association to which this section applies, in the case of a person who is a member or associate of the association, to discriminate against him -

(a) in the way it affords him access to any benefits, facilities or services, or by refusing or deliberately omitting to afford him access to them; or

(b) in the case of a member, by depriving him of membership, or varying the terms on which he is a member; or

(c) in the case of an associate, by depriving him of his rights as an associate, or varying those rights; or

(d) in either case, by subjecting him to any other detriment.

(4) For the purposes of this section -

(a) a person is a member of an association if he belongs to it by virtue of his admission to any sort of membership provided for by its constitution (and is not merely a person with certain rights under its

constitution by virtue of his membership of some other association), and references to membership of an association shall be construed accordingly;

(b) a person is an associate of an association to which this section applies if, not being a member of it, he has under its constitution some or all of the rights enjoyed by members (or would have apart from any provision in its constitution authorising the refusal of those rights in particular cases).

Section 28

(1) In this section "discriminatory practice" means the application of a requirement or condition which results in an act of discrimination which is unlawful by virtue of any provision of Part II or III taken with section 1(1)(b), or which would be likely to result in such an act of discrimination if the persons to whom it is applied included persons of any particular racial group as regards which there has been no occasion for applying it.

(2) A person acts in contravention of this section if and so long as -

(a) he applies a discriminatory practice; or

(b) he operates practices or other arrangements which in any circumstances would call for the application by him of a discriminatory practice.

(3) Proceedings in respect of a contravention of this section shall be brought only by the Commission in accordance with sections 58 to 62.

Section 30

It is unlawful for a person -

(a) who has authority over another person; or

(b) in accordance with whose wishes that other person is accustomed to act,

to instruct him to do any act which is unlawful by virtue of Part II or III, or procure or attempt to procure the doing by him of any such act.

Section 1

(1) A person discriminates against another in any circumstances relevant for the purposes of any provision of this Act if -

(a) on racial grounds he treats that other less favourably than he treats or would treat other persons; or

(b) he applies to that other a requirement or condition which he applies or would apply equally to persons not of the same racial group as that other but -

(i) which is such that the proportion of persons of the same racial group as that other who can comply with it is considerably smaller than the proportion of persons not of that racial group who can comply with it; and

(ii) which he cannot show to be justifiable irrespective of the colour, race, nationality or ethnic or national origins of the person to whom it is applied; and

(iii) which is to the detriment of that other because he cannot comply with it.

(2) It is hereby declared that, for the purposes of this Act, segregating a person from other persons on racial grounds is treating him less favourably than they are treated.

APPENDIX B

COMMISSION FOR RACIAL EQUALITY

NON-DISCRIMINATION NOTICE

(RACE RELATIONS ACT 1976, SECTION 58)

To: The Mount Pleasant United Working Men's Club
Reservoir Road
Edgbaston
Birmingham 16.

Whereas, in the course of a formal investigation, the Commission for Racial Equality have become satisfied that you had committed acts to which section 58(2) of the Race Relations Act 1976 applies, namely:

(i) that on 24 February 1978 you refused in contravention of section 25(3)(a) of the Act to admit Mr J S Thomas, an associate;

(ii) that on divers occasions since the 13th day of June 1977 you have subjected members in contravention of section 25(3)(d) of the Act to the detriment of not being free to introduce friends to the Club as their guests on the grounds of the colour, race, nationality or ethnic or national origins of those friends;

(iii) that on divers occasions since the 13th day of June 1977 you have operated a discriminatory practice in contravention of section 28 of the Act by applying a requirement or condition that persons accepted into membership of the Club should not be coloured, this requirement or condition being such that it cannot be shown to be justifiable irrespective of the colour, race, nationality or ethnic or national origins of the persons to whom it is applied;

(iv) that on divers occasions since the 13th day of June 1977 you have operated a discriminatory practice in contravention of section 28 of the Act by applying a requirement or condition that persons introduced to the Club by members as their guests should not be coloured, this requirement or condition being such that it cannot be shown to be justifiable irrespective of the colour, race, nationality or ethnic or national origins of the persons to whom it is applied; and

(v) that on an unknown date or dates you have instructed servants or agents, in contravention of section 30

of the Act, to discriminate in contravention of section 25 of the Act in affording to members the facility of introducing guests to the Club and in the admission of associates to the Club, these instructions having been given, or having remained in force, since the 13th day of June 1977;

and are of the opinion that further such acts are likely to be committed unless changes are made in your practices or other arrangements as respects the admission of persons to membership and the provision of benefits, facilities or services to members and associates.

Now, therefore, without prejudice to your other duties under the Act, you are hereby required, in pursuance of section 58(2) of the Act, not to commit any such act as aforesaid or any other act which is an unlawful discriminatory act by virtue of sections 25, 28 of the Act or an act which is a contravention of section 30 of the Act by reference to Part III thereof.

In so far as compliance with the aforesaid requirement involves changes in any of your practices or other arrangements, you are further required, in pursuance of the said section 58(2), to inform the Commission that you have effected those changes and what those changes are and to take the following steps for the purpose of affording that information to other persons concerned namely:

(a) within 14 days of the date on which this notice becomes final display a notice in a prominent position in the entrance to the Club stating that it is the policy of the Club to treat all members, candidates for membership, associates and members' guests equally irrespective of colour, race, nationality or ethnic or national origins, the said notice to remain on display for at least five years from the date on which this notice becomes final;

(b) within 28 days of the date on which this notice becomes final notify in writing the Club and Institute Union that associates will henceforth be admitted to the Club irrespective of colour, race, nationality or ethnic or national origins;

(c) notify each member of the Club, in writing, on the first occasion after this notice becomes final that his membership is renewed, that all members, candidates for membership, associates and members' guests will be treated equally irrespective of colour, race, nationality or ethnic or national origins; and

(d) within 14 days of the date on which this notice becomes final instruct relevant servants or agents in writing that they are to treat all members, associates and members' guests equally as regards their rights to admission to the Club and enjoyment of the benefits, facilities and services of the Club irrespective of colour, race, nationality or ethnic or national origins, these instructions

to be re-issued at the end of each period of six months during the five years from the date on which this notice becomes final and issued to new servants or agents engaged during the five years from the date on which this notice becomes final within seven days of their taking up their duties.

You are further required, in pursuance of section 58(3) of the Act, to furnish the Commission as hereinafter provided with the following information to enable them to verify your compliance with this notice, namely:

(i) verification that you have complied with the requirements at (b), (c) and (d) above;

(ii) the number of persons admitted to membership during the five years following the date on which this notice becomes final, and the name and address of any such person who belongs to an ethnic minority group;

(iii) the names of associates and guests admitted to the Club during the two years following the date on which this notice becomes final, together with any other information entered in the admission records;

(iv) the name and address of any ethnic minority candidate for membership who is refused membership during the five years following the date on which this notice becomes final, and the reasons for the refusal;

(v) all available details, to include where possible the name and address of the person concerned, of any occasion during the two years following the date on which this notice becomes final that an ethnic minority associate or guest is refused admission and the reasons for the refusal;

The information to be furnished by you to the Commission in pursuance of the notice shall be furnished as follows:

(a) by providing to the Commission a copy of the notification referred to in (b) above within 14 days of its despatch, and a copy of the notification to members referred to in (c) above within 14 days of the first occasion on which it is issued to a member;

(b) by providing to the Commission copies of the instructions referred to in (d) above within 14 days of each occasion that they are issued, each copy having been signed by a relevant

servant or agent of the Club and bearing his full name and postal address in block capitals;

(c) by informing the Commission, at the end of each period of six months following the date on which the notice becomes final, by letter, of the number of persons admitted to membership during the previous six months and the information specified at (ii) above about any such person who belongs to an ethnic minority group;

(d) by providing to the Commission, at the end of each period of six months following the date on which the notice becomes final, a written list of associates and guests admitted to the Club during the preceding six months containing the information specified at (iii) above;

(e) by providing to the Commission in writing the information specified at (iv) and (v) above within 14 days of each such refusal having taker place.

Dated the sixth day of September 1979.

This notice was issued by the Commission, the provisions of section 58(5) of the Act having been complied with.

.....

(Chairman)